

## MILPERSMAN 1910-162

### SEPARATION BY REASON OF FAMILY ADVOCACY PROGRAM (FAP) REHABILITATION FAILURE

Responsible Office	NAVPERSCOM (PERS-83CC)	Phone:	DSN	882-4432
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#### 1. Policy

a. Members may be processed under this category for separation when they

(1) are identified as perpetrators of child abuse, child sexual abuse, or spousal abuse; and fail to complete or are involuntarily disenrolled from a FAP rehabilitation, education, and counseling program (programs under the direction of either Commander, Navy Installations (CNI) or local installations); or

(2) subsequently engage in abusive behavior. (Dual process for misconduct as appropriate.)

b. The local FAP Case Review Committee will make the determination as to whether rehabilitation failure has occurred. Commanding officers (COs) shall normally process rehabilitation failures for administrative separation. In those cases where COs determine retention of the servicemember is warranted, they shall forward their recommendation to Navy Personnel Command (NAVPERSCOM), Conduct and Separation Branch (PERS-483), who will make the final determination.

c. All substantiated child sexual abuse cases must be processed for misconduct due to commission of a serious offense (MILPERSMAN 1910-142), using administrative board procedures (MILPERSMAN 1910-402), unless findings of **not guilty** are rendered at courts-martial or civil/criminal proceedings.

d. Processing under this category is for rehabilitation program failure only. Actual spousal abuse or child abuse should be processed under misconduct due to commission of a serious offense.

2. **Procedures.** Contact NAVPERSCOM (PERS-483) for processing guidance for cases involving FAP rehabilitation failure. Cases will normally be processed under Best Interest of the Service (BIOTS) pending establishment of a Separation Program Designator (SPD) by Department of Defense (DOD) for this reason.

3. **Characterization of Service.** The least favorable characterization of service is General (Under Honorable Conditions).